

07.10.2022

Appellant alongwith his counsel present. Mr. Muhammad Naveed, Superintendent alongwith Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment to further prepare the brief. Adjourned. To come up for arguments on 11.11.2022 before the D.B at Camp Court Swat.



(Rozina Rehman)  
Member (J)  
Camp Court Swat




(Salah-Ud-Din)  
Member (J)  
Camp Court Swat


05.07.2022

Learned counsel for appellant present.

Noor Zaman Khattak, learned District Attorney for respondents present.

Request for adjournment was made on behalf of learned counsel for appellant in order to prepare the brief. Adjourned. To come up for arguments on 04.08.2022 before D.B at Camp Court, Swat.

  
(Fareeha Paul)  
Member (E)  
Camp Court, Swat

  
(Rozina Rehman)  
Member (J)  
Camp Court, Swat

4-8-22

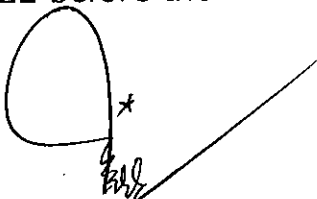
*Due to summer vacation the case is adjourned to 8-9-22 for the same.*

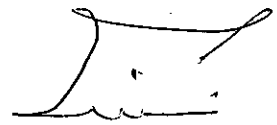


08.09.2022

Learned counsel for the appellant present. Mr. Adnan Hussain, Superintendent alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 07.10.2022 before the D.B at Camp Court Swat.

  
(Mian Muhammad)  
Member (Executive)  
Camp Court Swat

  
(Salah-Ud-Din)  
Member (Judicial)  
Camp Court Swat

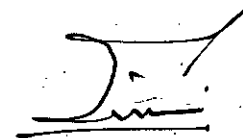
10.02.2022 Tour is hereby canceled .Therefore, the case is adjourned to 07.04.2022 for the same as before at Camp Court Swat.



Reader

07.04.2022 Appellant in person present. Mr. Muhammad Naveed, Assistant alongwith Mr. Riaz Ahmed Painsdakhel, Assistant Advocate General for the respondents present.

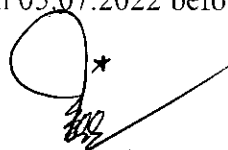
Para-wise comments on behalf of respondents submitted, which are placed on file and copy of the same is handed over to appellant. Adjourned. To come up for rejoinder, if any, as well as arguments on 07.06.2022 before the D.B at Camp Court Swat.




(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

07.06.2022 Appellant in person present. Mr. Kabirullah Khattak, learned Additional Advocate General for the respondents present.

Counsel are on strike. Adjourned. To come up for arguments on 05.07.2022 before D.B at camp court Swat.



(Mian Muhammad)  
Member (E)  
Camp Court Swat

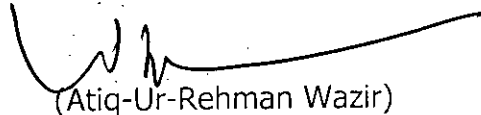


(Kalim Arshad Khan)  
Chairman  
Camp Court Swat

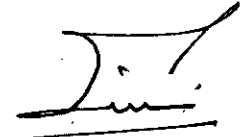
S.A No.8816/20

03.11.2021

Appellant in person present. Mr. Riaz Khan Paindakhel, Assistant Advocate General for respondents present and sought time for submission of reply/comments. Adjourned. To come up for submission of reply/comments as well as arguments before the D.B on 05.01.2022 at Camp Court Swat.



(Atiq-Ur-Rehman Wazir)  
Member (Executive)  
Camp Court, Swat



(Salah-Ud-Din)  
Member (Judicial)  
Camp Court, Swat

05.01.2022

Appellant in person present. None present on behalf of the respondents, therefore, notices be issued to them through registered post for submission of written reply/comments by way of last chance on 10.02.2022 before the S.B at Camp Court Swat.



(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

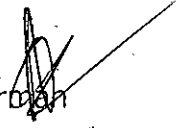
05 /04/2021

Due to COVID-19, the case is adjourned to  
07/06/2021 for the same.

  
READER

26.07.2021

To come up for preliminary hearing on 25.08.2021  
before S.B at Camp Court, Swat. Notices be issued to  
appellant/counsel for the date fixed.


  
Chairman

25.08.2021

Appellant present in person. Preliminary arguments  
heard.

Points raised need consideration. The appeal is admitted  
for regular hearing, subject to all just and legal objections,  
including that of limitation to be determined during course of  
full hearing. The appellant is directed to deposit security and  
process fee within 10 days. Thereafter, notices be issued to  
the respondents for submission of written reply/comments in  
office at Peshawar within 10 days after receipt of notices,  
positively. If the written reply/comments are not submitted  
within the stipulated time, or extension of time is not sought  
through written application with sufficient cause, the office  
shall submit the file with a report of non-compliance. File to  
come up for arguments on 03.11.2021 before the D.B at  
camp court, Swat.

Appellant Deposited  
Security & Process Fee

  
7/9/21

  
Chairman  
Camp court, Swat.

01.02.2021

Memorandum for appellant.

Preceding date was adjourned on account of Covid-19, therefore, appellant/counsel be put on notice for 05.04.2021 for preliminary hearing, before S.B at Camp Court Swat.




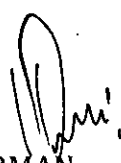
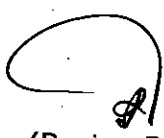
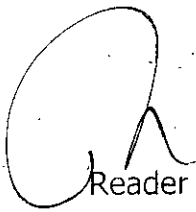
(Rozina Rehman)  
Member(J)  
Camp Court Swat

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 8816 /2020


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/07/2020	<p>The appeal of Mr. Iftikhar Ahmad resubmitted today by Syed Abdul Haq Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>02-11-2020</u></p> <p> CHAIRMAN</p>
02.11.2020		<p>Appellant in person present.</p> <p>Lawyers are on general strike, therefore, case is adjourned to 07.12.2020 for preliminary hearing, before S.B at Camp Court, Swat.</p> <p> (Rozina Rehman) Member (J) Camp Court, Swat</p>
	07.12.2020	<p>Due to COVID-19, case is adjourned to 01.02.2021 for the same as before.</p> <p> Reader</p>

The appeal of Mr. Itikhar Ahmad CT GHS No. 1 Thana District Malakand received today i.e. on 17.07.2020 is incomplete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be flagged.
- 2- Annexures of the appeal may be attested.
- 3- Copy of departmental appeal dated 15.12.2019 mentioned in letter dated 18.2.2020 is not attached with the appeal which may be placed on it.
- 4- Five more copies/sets of the appeal along annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1679 /S.T,


Dt. 17-07/2020.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Syed Abdul Haq Adv. Swat

Respect Sir,

The need full has been done  
hence Submitted for date

  
29/7/20



BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA AT PESHAWAR

Iftikhar Ahmad VS Secretary Education KP and others

INDEX

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4.	Copy of the judgment dated 24-06-2010	A	11-20
5.	Copy of judgment dated 20-01-2014	B	21-23
6.	Copy of judgment dated 17-02-2016	C	24-31
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Appellant

*Iftikhar Ahmad*

Iftikhar Ahmad

Through Counsel

*Syed Abdul Haq*

SYED ABDUL HAQ  
Advocate, High Court

Bar Room Mingora Bench Swat.  
Cell No: 033-9546154

①

BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA AT PESHAWAR

8816

Khyber Pakhtunkhwa  
Service Tribunal

Service Appeal No \_\_\_\_\_ of 2020

Diary No. 7418

~~Dated~~ 17/7/2020

Iftikhar Ahmad son of Azizur Rahman, presently serving as  
CT in Govt. Shaheed Adil Shahzad High School No. 1  
Thana, District Malakand.

.....Appellant

VERSUS

1. Govt. of KP through Secretary Education at Peshawar.
2. Director Elementary & Secondary Education Khyber  
Pakhtunkhwa at Peshawar.
3. District Education Officer Malakand at Batkhela.

.....Respondents

Filed to day  
17/7/20

SERVICE APPEAL UNDER SECTION 4, OF  
THE KPK SERVICE TRIBUNAL ACT, 1974,  
AGAINST THE ORDER DATED 18-02-2020,  
WHEREBY THE APPLICATION  
REGARDING PROMOTION TO THE POST  
OF SST (BPS-16) WAS REJECTED, AND THE  
SENIORITY OF APPELLANT WAS NOT

Re-submitted to -day  
and filed.

Registrar  
29/7/2020

CONSIDERED FOR PROMOTION TO THE  
POST IBID.

**PRAYER IN APPEAL**

On acceptance of this appeal the order dated 18-02-2020 be declared as illegal, against law, void ab-initio by setting aside the same and the application for promotion filed by the appellant be accepted as prayed for.

Any other relief which are proper in the instant circumstances of the may also be granted.

Respectfully Sheweth,

- 1) That the appellant initially was appointed as PCT teacher vide order dated 04-04-1988, having qualification M.Sc + B.Ed.
- 2) That appellant after getting a degree of B.Ed in 1993 and got eligible for the post of SST, as his other colleague were promoted in year 1996.

- 3) That the appellant impugned his non-consideration for promotion in writ petition bearing No. 1181-P of 2009, which was allowed by the Peshawar High Court vide judgment dated 24-06-2010, and resultantly the respondents were directed to promote the appellant to the post of SST from the date of promotion his colleagues. (Copy of the judgment dated 24-06-2010 is attached as annexure "A")
  
- 4) That the respondents assailed the judgment dated 24-06-2010 before the Supreme Court of Pakistan CPLA No. 171-P of 2011 which was allowed, resultantly the judgment dated 24-06-2010 passed by the Peshawar High Court was set aside vide judgment dated 20-01-2014. (Copy of judgment dated 20-01-2014 is attached as annexure "B")
  
- 5) That after the department / respondents without any reasons started deduction from the appellant with effect from 04-03-2011 while it was escaped from the notice of

respondents that the appellant was promoted / placed at seniority position at the post of SET on the judgment of Peshawar High Court Peshawar dated 24-06-2010, furthermore the appellant serve the department more than three years on the post of SET.

- 6) That the appellant impugned the act of respondents qua deduction in writ petition No. 57-M of 2015 which was allowed by the Peshawar High Court / Mingora Bench vide judgment dated 17-02-2016, and the respondents were directed not to recover any amount from him in respect of his salary or any other back benefits. (Copy of judgment dated 17-02-2016 is attached as annexure "C")
- 7) That the appellant is at the verge of retirement, but the respondents intentionally every time ignoring his promotion, so the appellant filed application for promotion on the basis of seniority before the respondent No. 2. (Copy of application is attached as annexure "D")
- 8) That the respondent No. 2 called comments from the respondent No. 3 / DEO Malakand who placed the actual

facts of the case and also recommended the appellant for the post of SST under the relevant rules. (Copies of application, comments & recommendation letters send by the respondent No. 3 are attached) *Amend E to E-11*

9) That the appellant was optimistic regarding his promotion, but got astonish to know that the application submitted by the appellant for promotion was rejected vide letter bearing No. 1094 dated 18-02-2020. (Copy of letter dated 18-02-2020 is attached) *(F)*

10) That extremely aggrieved from the order, the appellant have no other remedy except to file instant appeal before this Honorable Tribunal on the following grounds.

**GROUND:-**

a. That the act of respondents as not consider the appellant for promotion is unlawful, void-ab-initio, against the spirit of law, furthermore the impugned order / rejection dated 18-02-2020 is suffering from

merit as the judgment rendered by the Supreme Court of Pakistan dated 20-02-2014 does not mean that the appellant be disabled for promotion throughout in service life.

- b. That under the ESTA CODE regarding promotion policy if a civil servant having any deficiency and whose promotion has been deferred as soon as the reason for deferment ceased to exist, then the civil servant has right to be promoted under the mandate of relevant rules, policy, but the respondents failed to consider the said rules, so such act of the respondents is highly discriminatory, lack backing of law, hence liable to be struck down.
- c. That the seniority is the continuing cause of action which can be agitated at any time so, the appellant is fit for promotion on the strength of length of service, but the act of respondents toward appellant is very harsh so, the act of respondents is amount to be contempt on the reasons the respondents have no

mandate under the law to ignore the appellant for the propose promotion.

- d. That the act of departmental authority with holding promotion of civil servant from the date of his eligibility is unlawful, violative of all norms of justice so, the appellant entitled to promotion without influence extraneous consideration.
- e. That the appellant was entitled for promotion to the post of SET / SST since 25<sup>th</sup> March, 1996 but the Supreme Court of Pakistan set aside the judgment of Peshawar High Court vide judgment dated 20-01-2014, and after that the appellant was reverted on 30-04-2014 to the post of PST so, if the above period is taken out of consideration (though not admitted) even then the appellant is entitled for promotion dated 01-05-2014, but the respondents department due to his poor knowledge towards law considered that the appellant is never entitled to be promoted from the post of SST till his retirement, so such act of the respondents is nullity in the eyes of law.



f. That further grounds, with leave of this Honorable Court, would be raised at the time of arguments before this Honorable Court.

Therefore in view of the above submissions, it is most humbly prayed that on acceptance of the instant appeal the appellant may kindly be promoted to the post of SST with all back benefits.


Any other relief which are proper in the instant circumstances of the may also be granted.

Appellant



Iftikhar Ahmad

Through Counsel



SYED ABDUL HAQ  
Advocate, High Court

CERTIFICATE:

(As per directions of my client) No such like Appeal earlier has been filed by the appellants on the subject matter before this Honorable Court.



ADVOCATE

BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA AT PESHAWAR

Service Appeal No \_\_\_\_\_ of 2020

Iftikhar Ahmad ..... (Appellant)

VERSUS

Secretary Education KP and others..... (Respondents)

ADDRESSES OF THE PARTIES


APPELLANT


Iftikhar Ahmad son of Azizur Rahman, presently serving as  
CT in Govt. Shaheed Adil Shahzad High School No. 1  
Thana, District Malakand.

CNIC No:15402-1396215-3      Cell No:0345-9371546

RESPONDENTS

1. Govt. of KP through Secretary Education at Peshawar.
2. Director Elementary & Secondary Education Khyber  
Pakhtunkhwa at Peshawar.
3. District Education Officer Malakand at Batkhela.

Appellant   
Iftikhar Ahmad  
Through Counsel

  
SYED ABDUL HAQ  
Advocate, High Court

BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA AT PESHAWAR

Service Appeal No \_\_\_\_\_ of 2020

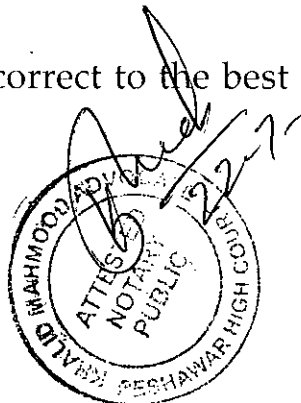
Iftikhar Ahmad ..... (Appellant)

VERSUS

Secretary Education KP and others..... (Respondents)

AFFIDAVIT

I, **Iftikhar Ahmad (appellant)**, do hereby solemnly affirm and declare on oath that the contents of the above titled Appeal is true and correct to the best of my knowledge and belief.

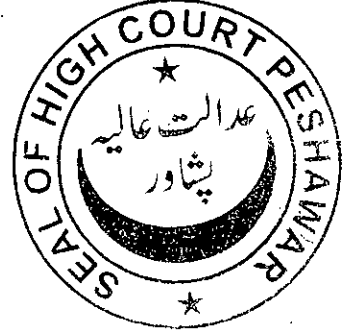


*Iftikhar Ahmad*

DEPONENT

Amended  
12/11/09

IN THE PESHAWAR HIGH COURT, PESHAWAR.



W.P.No. 1181 /2009

Iftikhar Ahmad S/o Aziz-ur-Rehman  
R/O Mohallah Dando Dil Bahar Colony,  
Village Tana Malakand Agency..... Petitioners

Versus

- 1) Director (E&S) Elementary and Secondary Education,  
Peshawar.
- 2) Govt. of N.W.F.P. through Secretary Education, NWFP,  
Peshawar.
- 3) Govt. NWFP through Secretary S&GAD, Establishment  
and Admn. Department (Regulation Wing).

..... Respondents

WRIT PETITION UNDER ARTICLE 199  
OF THE CONSTITUTION OF ISLAMIC  
REPUBLIC OF PAKISTAN, 1973 R/W  
AMENDMENTS.

ATTESTED  
  
EXAMINER

Respectfully Sheweth;

- 1) That the respondent No 1 invited applications for the vacant post of Senior English Teacher (S.E.T) through advertisement appeared in the daily Frontier Post dated 21.10.1995. The petitioner being qualified submitted an application for appointment against a post of Senior English Teacher (SET) (Copy of advertisement dated 29.10.1995 is Annexure "A").

93/10  
12/11/09  
Register  
11/11/2009



- 2) That in criteria prescribed by respondent No.1 the marks of the candidates were given on the basis of their educational qualifications i.e. SSC, FA/FSc, BA/BSc, MA/MSc, M.Ed, B.Ed and after the consolidation marks the merit lists of the candidates who have applied for the post of Senior English Teacher (SET) were considered.
- 3) That the name of the petitioner appeared at serial No.5 of the merit list, the perusal of which it would reveals that five reserved marks for M.Sc qualification marks has not been given to the petitioner, despite the fact that the petitioner has obtained his M.Sc. degree under Roll NO.1704 in 1993, therefore, the petitioner has been dealt with discrimination. (Copy of merit list is Annexure "B").
- 4) That the petitioner submitted application to the respondent NO.1 requesting therein that five marks on the basis of M.Sc. may be awarded to him and after reaching to the score of 61 marks he was entitled for appointment as S.E.T. After long correspondence on the issue of five marks for M.Sc. the respondent No.1 wrote a letter bearing NO.4158/F.No.A-14/SET (M) dated 10.11.2008 to the respondent No.2 for further necessary action. (Copy of the letter dated 10.11.2008 is Annexure "C").
- 5) That similarly respondent No.2 Govt. of NWFP Elementary and Secondary Education Department wrote a letter bearing No.SOG/E&SE/1-22/2008 dated 23.2.2009 stating therein that a great injustice has been done to the petitioner by neglecting his countable marks and that no action on the appeal of the petitioner submitted 1996 has been taken by the concern staff, it was further advised that relief for the injustice done may be given to the petitioner by appointing him as a Senior English Teacher (SET) BPS-16. (Copy of the letter is Annexure "D").

1247  
L. & S. Registrar  
16 MAY 2009

ATTESTED  
  
EXAMINER

- 6) That respondent No.3 also directed the respondent No.1 vide letter bearing No.SOR-I(E&AD) 3-86/96/Vol.XI dated 12.2.2009 for the implementation of the direction mentioned in the letter and a list of the available post were also provided but even then the respondent NO.1 failed to issue appointment orders of the petitioner against the post of (SET) teacher, though under the law he was required to issue the appointment order of the petitioner. (Copy of the letter is Annexure "E").
- 7) That the petitioner approached time and again moved so many applications, reminders, but the respondent No.1 advised for necessary action. (Copy of the application is Annexure "F").
- 8) That there is no other adequate remedy available to the petitioner, therefore, the petitioner is constrained to invoke the extraordinary jurisdiction of this hon'ble court on the following amongst other grounds:

**GROUND:**

- a. That the petitioner has been dealt with discrimination because five marks on the basis of M.Sc qualification has been awarded to all other candidates except the petitioner.
- b. That the respondents have admitted that a great injustice has been done with the petitioner by neglecting his countable marks and the appeal of the petitioner submitted on 31.8.1996 has been purposely and intentionally kept pending for 13 years.
- c. That respondent No.1 has developed a personal grudge against the petitioner because the petitioner submitted an appeal to the higher authorities for the redressal of his grievances.

FILED TODAY

Deputy Registrar

18 MAY 2009

ATTESTED

EXAMINER

134

- d. That despite of crystal clear direction contained in the letters mentioned in the fact above the respondent No.1 is still not compliance the same.
- e. That due to the rivalry between the government department the petitioner is going through agonies, mental torture and financial loses for the last thirteen years.
- f. That as the appeal of the petitioner was pending but no order was being passed by the authorities concerned, therefore, in order to avoid himself within litigation with the department he could not submit this petition earlier, but now there is no option for the petitioner to knock the door of this Hon'ble Court for the sake of justice.
- g. Any other point which is specifically plead will be argued at the time of arguments with the permission of this hon'ble court.

It is, therefore, prayed that on acceptance of this writ petition, the respondent No.1 may be directed to issue appointment order of the petitioner with retrospective effect.

Petitioner  
 Through *Masrur*  
 M. Bashir Naveed  
 Advocate, Peshawar

*Imad Hussain Durrani*  
 advocate Peshawar

CERTIFICATE:

Certified as per information furnished by my client no such like writ petition has earlier been filed before this Hon'ble Court.

LIST OF BOOKS:

1. Constitution of Islamic Republic of Pakistan, 1973.
2. Law Books and case laws as per need.

*[Handwritten signature]*

*Masrur*  
 Advocate  
**CERTIFIED TO BE TRUE COPY**  
 EXAMINER  
 Peshawar High Court, Peshawar  
 Authorized Under Article 37 of  
 The Ombudsman Order 1984

03 JUL 2019

**JUDGMENT SHEET  
PESHAWAR HIGH COURT, PESHAWAR  
JUDICIAL DEPARTMENT**

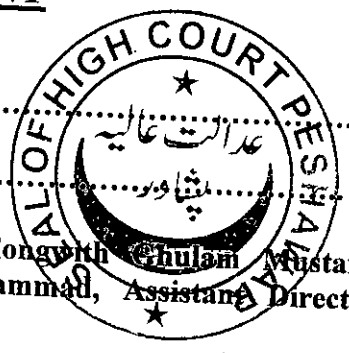
**Writ Petition No.1181/2009.**

**JUDGMENT**

Date of hearing:.....24-6-2010.....

Petitioner: by Mr.M.Bashar Naveed, Advocate.....

Respondents: Mr.Sardar Ali Raza, DAG along with Ghulam Mustafa, Deputy Director, Education and Raz Muhammad, Assistant Director Education, for the respondents. \_\_\_\_\_



*Mr. Kundi*

**ABDUL AZIZ KUNDI, J.**- Iftikhar Ahmad, petitioner, while posted as PST in Education Department, pursuant to an advertisement appearing in various Dailies, for the post of SET in the Education Department, applied for one of the said posts on prescribed form, issued by the department and the last date for submission of such applications was 20.11.1995, while the required qualifications were BA/B.Sc. with B.Ed or MA/M.Sc. with M.Ed. In the merit list prepared on the basis of education testimonials, he was placed at S.No.5 of the same, which revealed that five marks reserved for additional qualification of M.Sc. were not given to him, though he had obtained M.Sc. degree in the year, 1993 and duly mentioned the same in his application form. This prompted him to request respondent No.1 for looking into the matter and allowing him five marks, which would

**ATTESTED**  
*[Signature]*  
**EXAMINER**



enable him to score 61 marks, thus making him entitled to appointment against one of the said posts. He continuously pursued the matter and at several occasions orders favouring him were also issued but not given effect to in letter and spirit by appointing him against one of the posts. Ultimately, he filed the instant writ petition in this court on 18.5.2009 for the following relief:-

“It is, therefore, prayed that on acceptance of this writ petition, the respondent No.1 may be directed to issue appointment order of the petitioner with retrospective effect.”

2. On 28.10.2009, when this case came up before a Division Bench of this court in motion, the Bench seized of the writ petition, passed the following order:-

“From the perusal of the record particularly letter dated 10.11.2008, letter dated 23.2.2009 and letter dated 12.2.2009 issued by the Directorate of E & S (Education), Government of NWFP, Elementary & Secondary Education Department and Government of NWFP, Establishment and Administration Department respectively, it is fairly established that due to criminal negligence and inaction on the part of the appointing authority or those dealing with the case of the petitioner have caused the petitioner considerable damage and has done injustice to him thus, it is a classic example of maladministration and discrimination, therefore, respondents No.1 & 2 are directed to appear personally on the next date alongwith record and similarly notice be given to the office of the Advocate General to be present personally on the date fixed. Adjourned to 11.11.2009. The office is directed to ensure the service of the respondents by all possible means.”

*M. A. L. S.*

3. Later on, respondent No.1 submitted his comments and in his comments, it was averred that the petitioner

ATTESTED

*[Signature]*

EXAMINER

had never produced his Master Degree at the time of submission of application for the appointment as well at the time of Interview to the Committee constituted for the purpose and that it was because that he concealed material facts from the Committee, as he had obtained at once two degrees from the concerned University in the Sessions 1993, which are not permissible under the University Rules. It was also admitted that petitioner had moved application for redressal for his grievances. The writ petition was, however, questioned on many other grounds including the one of limitation.

4. Today, during ~~it~~ the course of arguments, learned counsel for the petitioner drew our attention to the application submitted by petitioner for the post in question on the prescribed form, where he has categorically stated to have obtained M.Sc. (Statistics) Degree by securing 498/1200 marks and stated that had this degree not been appended with the application, the respondent should have then informed him of the shortcomings in his application and then either allowed to make up the same or omitted him from consideration even against the vacancy.

5. With the comments, respondent No.1 has appended the merit list where he has been given marks on the basis of his educational testimonials and the said marking against his name at S.No.5 would

*M. S. L.*

ATTESTED

*[Signature]*  
EXAMINER



show that his marks have been changed/reduced as a result of cuttings/over writing and thus brought to 52. It is the case of the respondents that had he scored 54 marks or more than that marks, the petitioner would have been appointed against one of the vacancies. Regarding not allowing five marks for his M.Sc. Degree, it was stated by the respondents and the learned DAG that since petitioner has obtained two degrees in one year, which are not permissible under the University Rules and when this violation was noticed by the University Authorities, he was issued a notice dated 29.11.1993 to explain his position, otherwise one sided action will be taken against him.

*M. K. S.*

6. In response to this objection, learned counsel for the petitioner while referring to the degree issued to the petitioner and a photo copy available on the file, contended that no such action was taken against the petitioner and his said degree is still intact and that in the presence of the same, respondents had no authority to refuse him five additional marks in lieu thereof, because it was a matter between the petitioner and the educational institutions, from where he had passed the said degree examination and thus it was stated that petitioner was deprived of the same with malafide intention besides giving him a discriminatory treatment as against others

ATTESTED

*[Signature]*

EXAMINER



who were allowed additional five marks for their additional qualifications.

7. On court query, the two officers of the Education Department stated at the bar that in case petitioner is allowed five marks for his additional qualifications of M.Sc. degree, then he stands qualified for appointment against one of the posts of SET.

8. We have considered the respective submissions and also gone through the record made available on the file of this writ petition. As a result of wrong approach to the matter at the time of making selection by the authorities, petitioner was illegally deprived of his appointment against one of the SET posts by not awarding him five additional marks for his M.Sc. degree, which is still intact. In the presence of the said degree, the official-respondent had no powers whatsoever to refuse the said marks to him, while the same were allowed to other similarly placed candidates and duly appointed. He has thus been caused considerable damage, as a result of classic example of maladministration and discrimination and this court having taken notice of it cannot remain a silent spectator.

*M. S. S. S.*

ATTESTED  
  
EXAMINER

9. Pursuant to the advertisement, the department had made appointments way back 25.3.1996, which order is available with the comments of official respondent No.1, showing appointments against the posts of SETs in various schools of the Education Department of the Province.

10. We thus hold that petitioner is also entitled to the same treatment and was illegally deprived of his appointment, therefore, direct the respondents to appoint the petitioner from the date on which his others colleagues had been appointed as a result of the said selection, in which he had participated. He shall be also allowed all service benefits from the said date.

**The writ petition is allowed.**

Dt.24.6.2010.

*Handwritten signature*

**JUDGE**

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**JUDGE**

\*M.Gul\*



**CERTIFIED TO BE TRUE COPY**

**EXAMINER**  
Peshawar High Court, Peshawar  
Authorized Under Article 5,7 of  
The Qanun-e-Shahadat Order 1984

03 JUL 2019

IN THE SUPREME COURT OF PAKISTAN  
(APPELLATE JURISDICTION)

*Amir*  
*1. B. 11*  
**(21)**

PRESENT  
MR. JUSTICE NASIR-UL-MULK  
MR. JUSTICE MIAN SAQIB NISAR  
MR. JUSTICE AMIR HANI MUSLIM

CIVIL APPEAL NO. 171-P OF 2011  
(On appeal from the judgment of the  
Peshawar High Court, Peshawar, dated  
24.06.2010 passed in W. P. No. 1181  
of 2009)

Director (Elementary & Secondary Education  
K.P.K., Peshawar and others

Appellants

Versus

Iftikhar Ahmad

Respondent

For the Appellants: Mr. Zahid Yousaf, AAG

For the Respondent: Mr. Ijaz Anwar, ASC

Date of Hearing: 20.01.2014

JUDGMENT

NASIR-UL-MULK, J.- The respondent, Primary School Teacher (PST) in the Education Department of K.P.K., had applied on 20.11.1995 for the post of Senior English Teacher (SET) in the same department. He was not selected for the post on merits. However in the year 2009 he filed a constitution petition before the Peshawar High Court praying for his appointment to the said post, contending that the Selection Committee had wrongly denied him the grant of 5 marks reserved for the additional qualification of M.Sc. whereas he had obtained the said degree way back in the year 1993. The Elementary & Secondary Education, K.P.K. contested the petition and submitted before the High Court that the said degree was not

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Court Associate  
Supreme Court of Pakistan  
Islamabad

submitted by the respondent with his application for the said post that perhaps he concealed the same as he had in violation of the University Rules, acquired two master degrees simultaneously. These submissions did not appeal to the High Court, which held that the question of validity or otherwise of obtaining two degrees at the same time was a matter within the domain of the University. That as the respondent had acquired additional qualification he was entitled to 5 additional marks. The appellants were, therefore, directed to appoint the respondent with retrospective effect from the date on which his colleagues were appointed i.e. 25.03.1996, with all back benefits. Leave to appeal was granted to the Government of K.P.K. in the following terms:-

“2. Learned Assistant Advocate General appearing on behalf of the petitioner contended that if for a while 5 marks for higher qualification could not have been denied to the respondent so long as its genuineness was not looked askance at yet the Court had no power whatever to grant back benefit unless it was established that the respondent was not gainfully employed during the said period.”

3. We, therefore, grant leave to consider the points mentioned above. Till then the impugned judgment to the extent of back benefits shall not be acted upon. The appellants may, if they so wish, further document the appeal.”

2. During hearing of the appeal we straightaway confronted the learned counsel for the respondent on the question of laches as the writ petition was filed in the year 2009 challenging the process of selection of the year 1995-96. The learned counsel submitted that the respondent had been agitating his grievance before the departmental authorities and when eventually he was not granted relief he was driven to file the writ petition. In

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Court Associate  
Supreme Court of Pakistan  
Islamabad

the writ petition the respondent had not tried to explain the reason for his failure to approach the Court within reasonable time. Be that as it may pursuing matter before the departmental authorities, not under any statutory provision, does not provide legal justification for not approaching the Court within reasonable time. On this score alone the writ petition filed by the respondent was liable to be dismissed.

3. On merits too, we do not find that the respondent had a good case for the Court to intervene. The respondent had not filed along with his testimonial the master degree for consideration of the Selection Committee. The High Court could not have taken into consideration the degree which was not placed before the Selection Committee at the time of selection. The contention on behalf of the appellants that non disclosure of the said qualification because of simultaneous acquisition of two Masters Degrees by the respondent is not without substance.

4. Seen from any angle, the respondent was not entitled to the relief granted by the High Court. The appeal is allowed, the impugned judgment of the High Court is set aside and the writ petition filed by the respondent dismissed.



Islamabad  
January 20, 2014  
Shirazi/\*

Sd/-J  
Sd/-J  
Sd/-J  
**Certified to be True Copy**  
Court Associate  
Supreme Court of Pakistan  
Islamabad

"NOT APPROVED FOR REPORTING"

Handwritten signature and date: 24/1/14



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JUDGMENT SHEET

IN THE PESHAWAR HIGH COURT,  
MINGORA BENCH (DAR-UL-QAZA), SWAT

(Judicial Department)

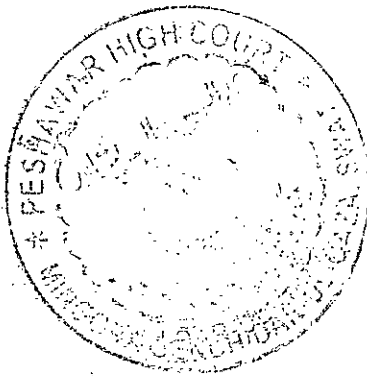
W.P No. 57-M/2015

JUDGMENT

Date of hearing: 17.2.2016

Petitioners (Iftikhar Ahmad) by  
Syed Abdul Haq Advocate

Respondent (Director (E and SE) and  
others) by Mr. Sabir Shah AAC



HAIDER ALI KHAN, J.- Iftikhar Ahmad, the

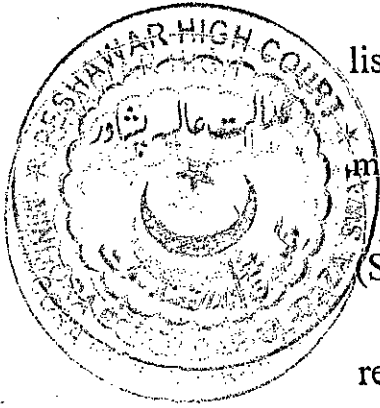
petitioner herein, has prayed for the following

relief through the instant writ petition.

“on acceptance of this writ petition, respondents may kindly be directed to cancel the impugned order No. 1381-83 dated 10.3.2014 and order 1722-27 dated 30.4.2014 regarding reversion and recovery of salary received for gainfully serving the department since 04.3.2011. The illegal recovery may please be ordered immediately stopped and the petitioner may kindly be reinstated on the SET/SST post against which he was working”.

2. Precise and relevant facts of the case are that on 21.10.1995 the Director Education (schools) Khyber Pakhunkhwa invited applications for the vacant posts of S.E.T (BPS-16) for which the petitioner (already posted as PST) also applied and secured his position at Serial No.5 of the merit list after test and interview with the score of 52 marks. Since, additional 5 marks for his M.Sc (Statistics) were not counted by the Department resultantly his other colleagues were appointed as S.E.T whereas the petitioner was not considered for his appointment. Being aggrieved, the petitioner approached this Court through W.P No. 1181/2009 which was allowed by this Court on 28.10.2009 the operative part of the judgment is reproduced herein below for the sake of convenience.

“10. We thus hold that petitioner is also entitled to the same treatment and was illegally deprived of his appointment, therefore, direct the respondents to appoint the petitioner



from the date on which his other colleagues had been appointed as a result of the said selection, in which he had participated. He shall be also allowed all service benefits from the said date".

In compliance with the judgment of this Court, the petitioner was appointed as S.E.T vide order bearing Endst: No. 832-41 dated 09.6.2011 subject to the decision of Supreme Court. The petitioner assumed the charge of his duty whereas the Education Department preferred Civil Appeal No. 171-P/2011 before the august Supreme Court against the judgment of this Court dated 28.10.2009. Leave to appeal was granted to the Department/respondents vide order dated 16.12.2011 and later on the appeal was finally allowed by the apex Court on 20.1.2014, resultantly, the judgment dated 24.6.2010 of this Court was set aside. It would be appropriate to reproduce the operative paras of the judgment herein below.



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"2. During hearing of the appeal we straightaway confronted the learned counsel for the respondent on the question of laches as the writ petition was filed in the year 2009 challenging the process of selection of the year 1995-96. The learned counsel submitted that the respondent had been agitating his grievance before the departmental authorities and when eventually he was not granted relief he was driven to file the writ petition. In the writ petition the respondent had not tried to explain the reason for his failure to approach the Court within reasonable time. Be that as it may pursuing matter before the departmental authorities, not under any statutory provision, does not provide legal justification for not approaching the Court within reasonable time. On this score alone the writ petition filed by the respondent was liable to be dismissed.



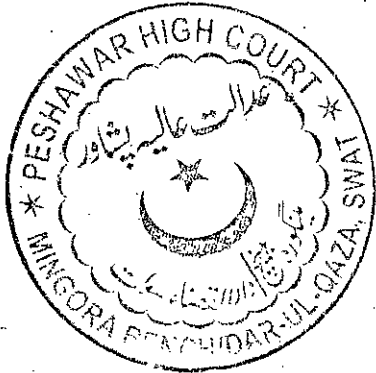
3. On merits too, we do not find that the respndnet had a good case for the Court to intervene. The respondent had not filed along with his testimonial the master degree for consideration of the Selection Committee. The High Court could not have taken into consideration the decree which was not placed before the Selection Committee at the time of selection. The contention on behalf of the appellants that non disclosure of the said qualification because of simultaneous acquisition of two Masters Degrees by the respondent is not without substance.

4. Seen from any angle, the respondent was not entitled to the relief granted by the High Court. The appeal is allowed, the impugned

judgment of the High Court is set aside and the writ petition filed by the respondent dismissed".

(28)

3. Pursuant to the judgment of the august Supreme Court, the Director E & S.E, Khyber Pakhtunkhwa and District Education Officer, Malakand, issued orders bearing Endst; No. 1381-83/F.No.40/Iftikhar Ahmad Ex.PST/ Litigation/Vol-01 dated 30.3.2014 and No. 17220-27/F.No. Adjustment/PSTs dated 30.4.2014 respectively which have been challenged by the petitioner through the instant writ petition. The impugned orders are reproduced below for ready reference.



**No.1381-83 dated 10.3.2014**

“Consequent upon the judgment of august Supreme Court of Pakistan dated 20.1.2014, the appointment order in respect of Mr. Iftikhar Ahmad Ex. PST GPS College Colony Thana Malakand Agency as SET (SST) issued vide this Directorate order under endorsement No.832-41/F.No.345/SET (M) dated 09.6.2011 is hereby withdrawn.

Further more, his service is hereby placed at the disposal of District Education Officer (M) Malakand for further adjustment against the post of PST in any GPS in District Malakand".

No. 1722-27 dated 30.4.2014.



"Consequent upon the services of Mr. Iftikhar Ahmad Ex- PST, College Colony Thana Malakand Agency placed at the disposal of D.E.O (M) Malakand for further adjustment against the post of PST in Malakand Agency vide Director Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar Office order Endst: No. 1381/F.No.40/Iftikhar Ahmad Ex. PST/Litigation/ Vol-IV/ dated 10.3.2014 is hereby further adjusted against the vacant PST post at G.M.P.S Charkotlai (Batkhela) on his own pay and scale in the interest of public service with immediate effect".

4. We have heard the arguments of learned counsel for the petitioner and that of the learned A.A.G. and perused the available record alongwith the para-wise comments already submitted by the Respondent No.4.

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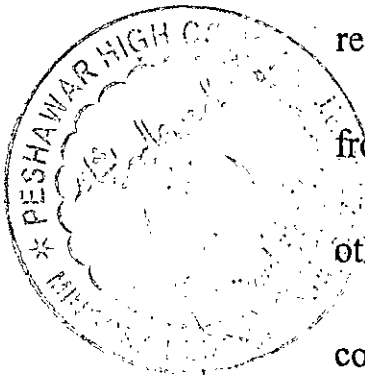
5. Perusal of the available record would reveal that through the former impugned order the petitioner's appointment order as S.E.T has been withdrawn whereas through the latter impugned order he has been re-adjusted as P.S.T. Record further shows that the august Supreme Court has set aside the judgment dated 24.6.2010 of this Court whereby the petitioner had been given the relief of his appointment as S.E.T with back benefits and as such the apex Court declared the petitioner disentitled to the same relief granted to him by this Court. Therefore, both the impugned orders issued by the respondents are in accordance with the judgment of the august Supreme Court and this Court has got no jurisdiction to interfere therewith. So far as the recovery of back benefits by the respondents from the petitioner is concerned, there are no specific directions in the judgment of the august Supreme Court regarding recovery of back benefits. Thus, in absence of any



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specific order by the apex Court in this regard, any recovery by the respondents from the petitioner would be without any legal justification.

6. In view of the above discussion, this writ petition is partially allowed and the respondents are directed not to recover any amount from the petitioner in respect of his salary or any other back benefits already received by him in compliance with the judgment dated 24.6.2010 rendered by this Court in W.P No. 1181/2009. Any order/notification/direction issued by the respondents in this regard is also declared as null and void.



Sd. Muhammad Nisar Khan  
Sd. ...

Announced.  
Dt: 17.2.2016

852  
Name of Applicant: Qasim Muhammad  
Date of Deposit: 29.2.16  
Date of Receipt: 3.3.16  
No of Copies: 9  
Urgent: [ ]  
Fee Paid: 18/-  
Date of Delivery of Copies: 03.3.16

Office  
1/3

Certified to be a true copy

[Signature]

Peshawar High Court  
13/3/16



Amjad  
D

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**IN RESPECT OF WORTHY SECRETARY TO GOVERNMENT**  
**KHYBER PAKHTUNKHWA ELEMENTARY & SECONDARY**  
**EDUCATION DEPARTMENT AT PESHAWAR**

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7.	Copy of impugned letter dated 18.02.2020	F	43

*Amjad*

**IFTIKHAR AHMAD**  
(Applicant)

Diary No. 1451  
Dated: 17/2

*Amjad*

*Amjad*  
**ATTESTED**

IN RESPECT OF WORTHY SECRETARY TO GOVERNMENT  
KHYBER PAKHTUNKHWA ELEMENTARY & SECONDARY  
EDUCATION DEPARTMENT AT PESHAWAR

(38)

Iftikhar Ahmad, Presently serving as C.T in Government Shaheed Adil Shehzad High School No.1 Thana, District Malakand.....**APPELLANT**

VERSUS

Director Elementary & Secondary Education Government of Khyber Pakhtunkhwa at Peshawar.....**RESPONDENT**

DEPARTMENTAL APPEAL AGAINST THE IMPUGNED  
ORDER ISSUED BY RESPONDENT NO.1 VIDE MEMO  
BEARING NO. 1094 DATED 18.2.2020, WHEREBY THE  
APPLICATION QUA PROMOTION TO THE POST OF SST  
ON THE BASIS OF SENIORITY WAS REJECTED.

Respected Sir,

1. That the appellant was appointed as PTC vide order dated 4.4.1988, having qualification M.Sc. + M.Ed.
2. That the appellant, after getting the degree of B.Ed. in year the 1993 got eligible for promotion to post of S.S.T as his other colleagues were promoted in year 1996.

  
**ATTESTED**



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3. That the appellant filed a writ Petition bearing NO. 1181-P/2009 for promotion to the post of S.S.T which was allowed by Peshawar High Court Peshawar vide judgment dated 24.06.2010, resultantly the respondent were directed to appoint the appellant from the date on which his other colleagues have been appointed against the post of S.E.T (Copy of Judgment is attached as annexure-A)
  
4. That the respondent department filed CPLA bearing No. 171-P/2011 which was allowed, resultantly the judgment dated 24.6.2010 was set aside vide judgment dated 20.01.2014. (Copy of judgment is attached as annexure-B).
  
5. That after, the department without any justification started deduction from the appellant w.e.f 04.3.2011, however, it is to <sup>be</sup> mentioned here that the appellant was inducted on the post S.E.T on 04.3.2011 on the direction of Honourable Peshawar High Court vide judgment dated 24.06.2010 as the appellant served the department more than three years on the post of S.E.T.

  
**ATTESTED**

6. That the appellant impugned this act of respondent qua deduction in W.P bearing 57-M/2015, which was allowed by honourable Peshawar High Court Mingora Bench dated 17.02.2016 & the respondents were directed not to recover any amount from him in respect of his salary or any other back benefits & compliance of the judgment dated 24.06.2010 (Copy of judgment dated 17.02.2016 is attached as annexure-C)
7. That the appellant is at the verge of retirement as his Date of Birth is 10.03.1964 & M.Sc+M.Ed being eligible for the promotion on the basis of seniority after counting his length of service for the post of S.S.T, filed an application before the Worthy Director E&SE through Proper Channel. (Copy of application is attached as annexure-D).
8. That the worthy Director E&SE sought comments from the DEO District Malakand, who placed the actual facts of the case & also recommended the appellant for promotion to the post of S.S.T under the relevant provision of law. (Copy of comments &

  
**ATTESTED**

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recommendation sent by the D.E.O Malakand is attached as annexure-E).

9. That the appellant was optimistic regarding his promotion but got astonish after receiving a letter via post wherein the respondent No.1 rejected the application vide letter bearing No. 1094 dated 18.2.2020. (Copy of impugned letter dated 18.02.2020 is attached as annexure-F).
10. That feeling aggrieved the appellant have no other remedy except to file the instant departmental appeal in respect of your good office on the following grounds.

## GROUND

- A. That the grounds for rejection narrated by the respondent is unlawful, void ib-initio as the apex court of Pakistan via his judgment dated 20.01.2014 never declared disabled the appellant for promotion for his entire life.

  
**ATTESTED**

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- (87)
- B. That under the ESTA CODE of Promotion Policy vide Provision V titled deferment of promotion, the civil servant whose promotion has been deferred will be considered for promotion as soon as the reason for deferment ceased to exist. The cases falling under any of the above 3 categories mentioned vide V(a) do not warrant proforma promotion but civil servant will be considered for promotion after determining his correct seniority list over the erstwhile junior so, the appellant on the strength of rules ibid is entitled to be promoted.
- C. That the seniority is <sup>the</sup> continued cause of action which can be agitated/challenged any time so, the appellant is entitled to be promoted on the strength of his entitlement.

*It is therefore humbly requested that the appeal may kindly be allowed and the appellant be considered for promotion w.e.f 01.05.2014.*

APPLICANT

IFTIKHAR AHMAD

*Amad* 16/3/2020  
Presently serving as C.T in Government Shaheed Adil Shehzad High School No.1 Thana, District Malakand. Mobile: 03459371546

(Dated: 16.03.2020)

*aj*  
**ATTESTED**

بخدمت جناب سیکرٹری صاحب ایگزیکٹو اینڈ سیکنڈری ایجوکیشن خیبر پختونخواہ ایشادرام اقبال کم

عنوان: اپیل بابت منسوخی آرڈر نمبر 83-1381 مورخہ 10-3-2014

جناب عالی:-

گزارش بکھورا نو رہے۔ کہ

مورخہ 10 مارچ 2014 کو ایک افس آرڈر نمبر 83-1381 مورخہ 10-3-2014 آمدہ از نظامت تعلیمات (ابتدائی دکانوی) خیبر پختونخواہ جاری کی گئی ہے۔ جس میں سپریم کورٹ کے فیصلے کے مطابق جناب ڈی ای او صاحب ضلع مالاکنڈ کو سائل کی SET/SST پوسٹ پر تعیناتی کا حکم نامہ نمبر 41-832 مورخہ 9-6-2011 کی منسوخی اور دوبارہ ضلع مالاکنڈ میں کسی بھی پرائمری سکول میں PST پوسٹ پر تعیناتی کیلئے کہا گیا ہے۔ (کاپی لف ہے)

جناب عالی:

جناب ڈی ای او صاحب ضلع مالاکنڈ نے جناب ڈائریکٹر صاحب (E&SE) خیبر پختونخواہ کا متذکرہ بالا آرڈر پر عمل کرتے ہوئے سائل کو SET (B-16) سے PST (B-12) میں Reversion کا حکم نامہ جاری کی اور اس پر بھی اکتفا نہ کیا بلکہ سائل سے ان تھوڑوں کی ریکوری کا آرڈر بھی جاری کیا جس پر سائل ہائی کورٹ کے فیصلے کے مطابق SET/SST پوسٹ پر تعینات ہوئے تھے۔ اور اس پیریڈ کے دوران اپنی بہترین کارکردگی کے بنیاد پر Best teacher کا ایوارڈ بھی حاصل کیا۔ (کاپیاں منسلک ہیں)

جناب عالی:-

آمدہ چھٹی میں جس آرڈر نمبر 41-832 مورخہ 9/6/2011 کی منسوخی کیلئے کہا گیا ہے۔ اس کے Terms &

conditions کے پیرا نمبر 1 میں ڈیپارٹمنٹ نے صاف لکھا ہے کہ اگر سپریم کورٹ آف پاکستان کا فیصلہ ڈیپارٹمنٹ حق میں آیا تو سائل صرف Back benefits واپس کرنے کا مجاز ہوگا۔ اس میں قطعاً نہیں لکھا ہے کہ سائل کو 4/3 سال SET پوسٹ پر کو ایفٹانگ مروں کرنے کے بعد Revert کیا جائیگا۔ (ارڈر کاپی منسلک ہے)

سائل کے سروس بکٹ میں کسی قسم کی Adverse Entry نہیں ہے۔ اور نہ ہی سائل کو اس پیریڈ کے دوران کوئی سزا ہوئی ہے۔

لہذا آپ صاحبان سے بذریعہ اپیل ہذا استدعا ہے۔ کہ سائل کے کیس پر ہمدردانہ غور کر کے حکم نامہ نمبر 83-1381

مورخہ 10-3-2014 کی منسوخی اور SST پوسٹ پر کام جاری رکھنے کا حکم صادر فرمائیں۔ کیونکہ یہ نہ صرف سائل کی مستقبل کا سوال ہے بلکہ اس کے چھ افراد پر مشتمل خاندان کی معاشی ذریعہ پر بھی سوالیہ نشان ہے۔

مورخہ: 30-4-2014

العارض

*Amjad*

آپ کا نائب امدار افتخار احمد SET

گورنمنٹ ہائی سکول نمبر 1 تھانہ ضلع مالاکنڈ

پتہ: محلہ دل بہار کالونی گاؤں وڈا کھانہ تھانہ ضلع مالاکنڈ خیبر پختونخوا

*Amjad*  
**ATTESTED**

بخدمت جناب ڈسٹرکٹ ایجوکیشن (ابتدائی و ثانوی تعلیم) آفیسر صاحب ضلع مالاکنڈ بمقام بٹ خیلہ



عنوان: DUE PLACE IN SENIORITY LIST & UP-GRADATION/PROMOTION FROM PST(B--12) TO SST (B-16)

بوساطت: سب ڈویژنل ایجوکیشن آفیسر صاحب تحصیل سوات رانیزئی بمقام بٹ خیلہ

۳۹

جناب عالی!

مودبانہ گزارش بحضور انوریہ ہے کہ سال 1988 سے محکمہ تعلیم میں بحیثیت PST/PTC مدرس میں اپنی خدمات بطریق احسن انجام دے رہا ہے۔ چونکہ پشاور ہائی کورٹ پشاور کے فیصلے کے تحت سال 04.03.2011 سے SET پوسٹ پر تعینات کیا گیا تھا۔ لیکن بد قسمتی سے سپریم کورٹ نے پشاور ہائی کورٹ کا فیصلہ زائد المعاد کی بنیاد پر کالعدم قرار دے دیا اور ڈیپارٹمنٹ نے سال کو واپس PST (B-12) پوسٹ پر تعیناتی کے احکامات جاری کیے۔

جناب عالی!

09.02.2013 سے سال کے دیگر رفقاء کا PST اساتذہ کو up-gradation کے ذریعے گریڈ 12 سے گریڈ 14 اور گریڈ 15 میں ترقی دے دی گئی

ہیں۔ لیکن سال اس ترقی سے محروم رہ گیا ہے۔ کیونکہ پشاور ہائی کورٹ کے فیصلے کے تحت سال اس دوران SET پوسٹ پر اپنی فرائض منصبی انجام دے رہا تھا۔ اب چونکہ ڈیپارٹمنٹ کے فیصلے کے تحت سال نے مورخہ 01.04.2014 سے PST پوسٹ پر دوبارہ کام شروع کیا ہے۔

جناب عالی!

چونکہ سابقہ PST سروس اور کارکردگی کی بنیاد پر سال گریڈ SST(B-16) میں ترقی دینے کا اہل ہے۔ کیونکہ سال 1996 سے SST/SET سبج وائز ایروائز

تقریری اپروموشن کیلئے اہل چلا آ رہا ہے۔ اس لئے آپ صاحبان سے بذریعہ درخواست استدعا ہے کہ گورنمنٹ سروس رولز کے تحت سال کو 01.05.2014 سے SST/SET پوسٹ پر تعیناتی کے احکامات جاری کر کے مشکور فرمائیں۔ شکریہ

مورخہ: 28.07.2014

الغرض

28.07.2014

انفار احمد PST (B-12)

گورنمنٹ مکتب پرائمری سکول چارکوٹلی بٹ خیلہ ڈسٹرکٹ مالاکنڈ

C N I C # 15402-1396215-3

ATTESTED



To

The Director (E&S Education)  
Khyber Pakhtun Khwa, Peshawar.

Subject: Re-instatement of service in BPS 16 on SST/SET post under the provision of  
ESTA Code 2000 as the post is batch wise / year wise promotion.

Through: Proper Channel

Respected sir,

With great reverence I have the honour to state that I was appointed on  
SST/SET post in BPS-16 vide your office order Endust: No. 2854-60/F.No.345/SET  
(M) dated Peshawar, the 19/01/2011. (Copy attached)

I was posted at GHS Jalala District Malakand and took over charge as SET  
(G) and I served the department over three years. I duly completed my probation  
period of two years and was entitled to a confirmed Government service at my  
credit.

Later on the Department issued another order vide No. 832-41/F.No  
345/SET (M) dated 09.06.2011 regarding back benefits. (Copy attached)

However, the later order dated 09.06.2011 was cancelled in the light of  
the judgment of the Hon'ble Supreme Court dated 20.01.2014.

Due to misunderstanding for implementation of the August Supreme  
Court decision, I was reverted from SET (B-16) to PST (B-12) and recovery was  
started from my salary and allowances received by me as an SET. Under Endst  
No.1381-83 dated 10/03/2014. (Copy attached)

Now I have been given to understand that recovery has been stopped  
from my salary in the light of judgment Peshawar High court Mingora Bench  
dated 17.02.2016. My service has been recognized in legal terms and must be  
continued till my retirement in accordance with the Government service rules.

In view of the above subject cited facts I request your honour to reinstate  
my service in BPS 16 as SET (G) in order to continue my service further. My last  
posting was at Govt: Shaheed Adil Shehzad High School No.1 Thana District  
Malakand. I shall be very thankful to you for this act of kindness.

Endst' no 119 Dated 23.09.2016.

Forwarded to SDEO (M) Swat Ranjari  
Batkhela for further necessary  
action please.

Your's obediently

Iftikhar Ahmad SPST

GPS No.1

Jalala District Malakand

*Iftikhar Ahmad*  
G.P.S No.1 Jalala  
Malakand Agency.

**ATTESTED**

To

The Director (E & SE)  
Khyber pakhtunkhwa Peshawar

Subject: - RE-INSTATEMENT OF SERVICE IN BPS-16 ON SST/SET POST  
Respected sir,

With due reverence I have the honour to state that I was appointed on SST/SET post in BPS 16 vide your office order No. Endt No. 2854-60/F. No.345/SET (M) dated Peshawar, the 19/01/2011. (Copy of appointment order is attached)

I was posted at GHS jalala District Malakand and took over charge as SET (G) with effect from 04/03/2011 (F.N). (Copy of Charge report is attached)

I served the department over three years in this capacity up to 30/04/2014. I duely completed my probation period of two years and was entitled to a confirmed Government service at my credit.

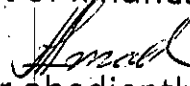
Due to some misunderstanding for implementation of court decision. I was reverted from SET (B-16) to PST (B-12) and recovery was started from my salary and allowances received by me as an SET, under your office Endst No. 1381-83 dated 10/03/2014. (Copy attached)

Now I have been given to understand that recovery has been stopped from my salary. My service has been recognized in legal terms and must be continued till my retirement in accordance with the Government service rules.

In view of the above facts I request your honour to reinstate my service in BPS 16 as SET (G) with effect from 30/04/2014 in order to continue my service further. My latest posting as SET was at Govt Shaheed Adil Shahzad High School No.1 Thana District Malakand.

I shall be very thankful to you for your this act of kindness.

Dated 03/01/2017

  
Your obediently  
Iftikhar Ahmad (Ex. SET)  
SPST GPS No.1  
Jalala District Malakand.

  
**ATTESTED**

92

6

E-4

42

To  
 The Director (E&S) Education  
 Khyber Pakhtun Khwa Peshawar.  
 Through: Proper channel.  
 Subject: Promotion on the basis of seniority.  
 Sir,

With great reverence and regards, I have the honour to state that I was appointed against PTC/PST (B-7) post and assumed charge on 11.04.1988. Later on, I was appointed as SET/SST (B-16) in pursuance of the judgment of Peshawar High Court dated 24.06.2010 duly endorsed Director (E&SE) KPK Peshawar order No 832-41 dated 09.06.2011. Subsequently this order was withdrawn in pursuance of Supreme Court judgment dated 20.01.2014, endorsed vide Director E&SE KPK Peshawar order No 1381-83 dated 10.03.2014.

Sir, I am M.Sc Statistics and M.Ed with specialization in science education and having thirty years regular service at my credit with excellent record of teaching for which rewards have been received by me at several occasions.

During the period, when I remained on PST and SST Post hundreds of my colleague teachers were promoted to various higher post of CTs, SSTs and SS posts and I was not only deprived of SST Post but also declined my seniority.

Sir, in accordance with the establishment code KPK ESTA Code part-VI seniority, I am entitled for maintaining my seniority and promotion on the basis of my initial appointment/ recruitment in my cadre. My colleagues have been promoted to B-16, B-17 and BPS-18 while I am deprived of the same right. I am a highly qualified teacher with splendid career of my services.

It is therefore requested that my case may please be considered in accordance with ESTA CODE NWFP 2000 volume-I and ESTA CODE (Establishment code Khyber Pakhtun Khwa) for the determinate of Seniority and promotion to the other grade of civil Servant. I shall be very thankful to you for this act of kindness.

Dated : 19.01.2018

Your's Obediently  
*Ahmad*  
 Iftikhar Ahmad (CT)  
 G(SAS)HS No 1 Thana  
 District Malakand

Enclosed:

- (1) Copy of concerned pages of Establishment Code NWFP 2000 Volume-I.
- (2) Copy of concerned pages of ESTA CODE (Establishment code Khyber Pakhtun Khwa).
- (3) Various Copies of Appointment Orders of my Colleagues/Junior to me, Appointed during the period when I was working against the SST post or prior.
- (4) Any other document needful will be supplied on demand.

**ATTESTED**

No 3149 / Dated 19.01.2018

Forwarded to the DFO(M) Malakand  
 for further necessary action please.

*[Signature]*  
 Principal  
 Govt Shahad Adil Shahzad  
 High School No.1 Thana  
 Distt Malakand

OFFICE OF THE DISTRICT  
EDUCATION OFFICER (M)  
MALAKAND AT BATKHELA

Telephone No.0932-410281

Fax No.0932-410010

Email. [emismalemalakand@gmail.com](mailto:emismalemalakand@gmail.com)

No. 7130 /ADEO/Secy:

Dated the 02 /10/2018

To,

The Director,  
E&SE K.P Peshawar.

Subject: Promotion on the basis of seniority.

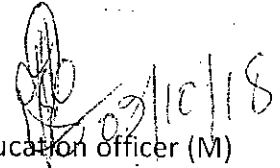
Memo:

Please refer to your letter No. Nil F.No 08/SST (M) Deptt: promotion F.No 224/G. Branch dated 09/07/2018 on the subject cited above and it is stated that:

1. The applicant Mr. Iftikhar Ahmad was appointed as PST. BPS-7 vide letter No.2689 dated 04.04.1988 (Annexure A)
2. He passed his B.Ed exam: in 1993 from the University of Peshawar (Annexure B) in 1996 he applied for the post of SST advertised by the Department on batch wise/year wise quota but was not appointed by the department due to reason unknown. The applicant aggrieved and approached the Hon'ble Peshawar high court Peshawar after the fulfillment of all the codal formalities and filed an appeal under writ petition No.1181 of 2009. (Annexure C)
3. The Hon'ble Peshawar high court Peshawar accepted his plea and directed the Department to appoint him with all back benefits. (Annexure D)
4. As a result he was appointed as SST/SET (B-16) vide order No.832-41 dated 09.06.2011. (Annexure E)
5. In the meantime the department filed an appeal before the August Supreme Court of Pakistan against the impugned order dated 24.06.2010 in the W.P No. 1181 of 2009 and which set aside the judgment of Peshawar high court dated 24.06.2010. As a result he was reverted to PST Post.

Most of his colleagues were later on promoted to SST posts but he was ignored as his case was in August Supreme Court of Pakistan for consideration.

6. Now he is serving as CT teacher at GSASHS No.1 Thana for the last the last two years. Hence the case being genuine is submitted for favourable consideration and necessary action please.

  
District Education officer (M)

Malakand at Batkhela

**ATTESTED**



OFFICE OF THE DISTRICT  
EDUCATION OFFICER (M)  
MALAKAND AT BATKHELA

Telephone No.0932-410281  
Fax No.0932-410010  
Email. [emismalemalakand@gmail.com](mailto:emismalemalakand@gmail.com)



(44)

E-6

No. 6851 /ADEO/Secy:

Dated the 25 /09/2018.

To,

The Director,  
E & S E K.P Peshawar.

Subject: - REDRESSAL OF GRIEVENCES.

Memo: -

Please refer to your letter No.1815/F.No 224/G.Branach dated 09/08/2018 on the subject cited above and it is stated that:

1. The applicant Mr.: Iftikhar Ahmad was appointed as PST BPS-7 vide letter No.2689 dated 04/04/1988 (Annexure. A).

2. He passed his Bed Exam: in 1993 from the University of Peshawar (Annexure.B) in 1996 he applied for the post of SST advertised by the department on batch wise/Year wise quota but was not appointed by the department due to the reasons unknown.

The applicant aggrieved and approached the honorable Peshawar high court Peshawar after the fulfillment of all codal formalities and filed an appeal under writ petition No:1181 of.2009 (Annexure.C).

3. The honorable Peshawar high court Peshawar accepted his plea and directed the department to appoint him with all back benefits (Annexure.D).

4. As a result he was appointed as SST vide order No.832-41 dt: 09/06/2011. (Annexure.E).

5. In the meantime the department filed an appeal before the August supreme court of Pakistan against the unpunged order dated 24.06.2010 in the W.P No.1181 of 2009 and who set aside the judgment of Peshawar high court dated 24/06/2010.As a result he was reverted to PST Post.

Most of his colleagues were later on promoted to SST posts but he was ignored as his case was in August supreme court of Pakistan for consideration.

6. Now he is serving as CT teacher at GSASHS No.1 thana for the last two years.

History of the case is submitted for further necessary action please.

DISTRICT EDUCATION OFFICER  
(MALE)MALAKAND

**ATTESTED**



OFFICE OF THE  
DISTRICT EDUCATION OFFICER (M) MALAKAND

No 3118 /Esstt/secy/Iftikhar Ahmad

Dated 01/04/2019

To,

The Director  
E & SE Khyber Pakhtunkhwa,  
Peshawar.

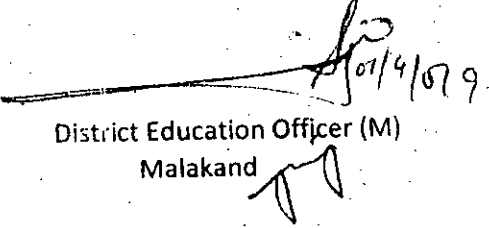
Subject: REDRESSEL OF GRIEVENCES

Memo:

Please refer to your Endst No 5036-39.F.No 224/G Branch dt 22/02/2019 on the subject.

The undersigned is pleased to re-produce the history of the case already submitted to your good self vide this office letter No 6851/ADEO/secondary dt 25/09/2018 with relevant pages of Esta Code page 57 v(a)(i) and (b) which seconds the plea of the appellant and also to annex an SST (G) vacancy Certificate issued by the Head Master GHS CC Thana.

Submitted for your kind perusal and further necessary action please.

  
District Education Officer (M)  
Malakand

  
**ATTESTED**



OFFICE OF THE  
DISTRICT EDUCATION OFFICER (M) MALAKAND

No 7057 /Esstt/secy/Iftikhar Ahmad

Dated 29 /07/2019

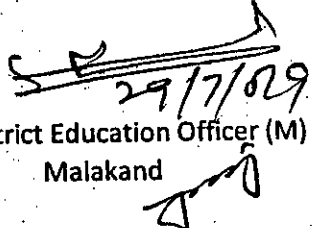
To,

The Director  
E & SE Khyber Pakhtunkhwa,  
Peshawar.

Subject: REDRESSEL OF GRIEVENCES

Memo:

Please refer to your letter No 4247 F.N.P.File/Iftikhar Ahmad CT MKD dated 18/07/2019 and it is stated that this office has already submitted the history of the case vide this office Memo No 3118 dated 01/04/2019, 6851 dated 25/09/2018 and 7130 dated 02/10/2018 on the subject. However history of the case re-produced for further necessary action please with the request to draw your kind attention towards ESTA Code 2011 page 57 under clause V different of promotions a (i) and (b) (copy enclosed for ready reference). Submitted for your kind perusal and further necessary action please.

  
29/7/2019  
District Education Officer (M)  
Malakand

ATTESTED



OFFICE OF THE  
DISTRICT EDUCATION OFFICER (M) MALAKAND

E-9

No 7984 /Secy/Estt/ Iftikhar Ahmad  
To,

Date: 07 /09/2019

(47)

The Director E & SE  
Khyber Pakhtunkhwa,  
Peshawer.

Subject: REDRESSEL OF GRIEVENCES  
Memo: -

Reference to your letter No 475/F.No.KC/Appeal of PST (M) Dated Peshawar the b  
30/07/2019 received on 02/09/2019 to the subject cited above.

The Response is submitted vide this office letter No 7057/Esstt/Secy/Iftikhar Ahmad dated  
29/07/2019 and letter No 3118/Esstt/Secy/Iftikhar Ahmad Dated 01/04/2019.

The undersigned is pleased to resubmit an other copy of the same for your kind perusal and  
further necessary action please.

S.A.  
7/9/2019  
District Education Officer (M)  
Malakand.

ATTESTED





GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

No. SO(PE)/5-1/General Misc./2018

Dated Peshawar the 07.12.2018

To,

The Director,  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa, Peshawar.

Subject: - REDRESSAL OF GRIEVANCES

Dear Sir,

I am directed to refer to your letter No. 7124/F.No.224/G. Branch dated 22.10.2018 on the subject noted above in respect of Mr. Iftikhar Ahmad S/O Aziz-Ur-Rahman O/O DEO (Male), District Malakand with the direction to process his case for promotion as per existing rules, if he is eligible under promotion quota; please.

Yours Faithfully

  
SECTION OFFICER (PRIMARY)

Endstt: of even Number & Date:

Copy to the:

1. The Director (C-IV), President Secretariat (Public), Aiwan-e-Sadr, Islambad w/r to his letter No. 0864A/2018/Petition dated 26.02.2018
2. The DEO (Male), District Malakand, for similar necessary action.
3. PS to Secretary, E&SE Department, Peshawar.

  
SECTION OFFICER (PRIMARY)

  
**ATTESTED**



E-11  
49

# ESTA CODE

**ESTABLISHMENT CODE KHYBER PAKHTUNKHWA  
( REVISED EDITION ) 2011**

**A COMPENDIUM OF LAWS, RULES AND INSTRUCTIONS  
RELATING TO THE TERMS AND CONDITIONS  
OF PROVINCIAL CIVIL SERVANTS**

**COMPILED BY;  
(O&M) SECTION  
ESTABLISHMENT & ADMINISTRATION DEPARTMENT**

*Am*  
**ATTESTED**

(50)

<b>S. No.</b>	<b>Subject</b>	<b>Pages</b>
<b>Chapter-I</b>		
1.	Constitutional Provisions regarding Terms and Conditions of Civil Servants.	1
2.	NWFP Civil Servants Act, 1973.	2 - 11
3.	Guidelines for review of cases of civil servants under section 13(1)(a) of the NWFP civil servants Act, 1973/ Retirement of civil servants under section 13(1)(a) of the Civil servants Act, 1973.	12- 14
<b>Chapter-II</b>		
4.	Statutory Provision regarding appointment/ The NWFP Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.	15 - 25
5.	The NWFP initial appointment to civil posts (relaxation of upper age limit) rules, 2008/ violation of age limit policy.	26 - 29
6.	Recruitment Policy for the Provincial Services.	30 - 33
7.	Zonal allocation in initial recruitment/ zonal allocation formula.	34 - 36
8.	Constitution of PSB, DPC and DSC.	37 - 39
9.	Procedure for Selection for Promotion/Initial recruitment.	40 - 43
10.	Reservation of quota for appointment of Class-IV Govt. Servants and children of Retiring/ Incapacitated/deceased civil servants.	44 - 47
11.	Appointment in lieu of land grants.	48 - 49
12.	Fixed Pay policy.	50 - 51
13.	Promotion Policy/ Instructions for guidance.	52 - 66
14.	Revision of the policy for grant of BS-21 and BS-22 to technical and professional officers on the basis of meritorious services.	67 - 72
15.	Appointment against higher posts/Appointment on acting charge basis.	73 - 79
16.	Statutory Provision/Posting and Transfer Policy/ Placement Policy.	80- 87
17.	Posting/transfer from FATA and vice versa/ Change in policy to fill vacant posts in FATA to ensure better human resource management.	88 - 90
18.	Guidelines for transfer/ posting of Naib Tehsildars/ Political Naib Tehsildars/ Assistant Political Agents/ Inter-Provincial Transfer.	91 - 92
19.	Identification of Unattractive/Hard areas/Tenure of posting policy.	93
20.	West Pakistan Civil Services (applications for posts) Rules, 1957.	94 - 96
<b>Chapter-III</b>		
21.	Marriages with Foreign Nationals Rules, 1962/West Pakistan Govt. Servants (Restrictions on Marriages with Foreign Nationals) Rules, 1963 etc.	97 - 99
22.	Surplus Pool Policy - Policy for declaring government servants as surplus and their subsequent absorption/ adjustment.	100 - 104
23.	Project Policy - Policy governing appointment against project posts.	105 - 118
24.	Deputation Policy/Terms and conditions of civil servants deputed to foreign service and ancillary instructions.	119- 132
25.	Counting of Adhoc Service/Adhoc appointment.	133 - 135
26.	Confirmation and retention of lien.	136 - 140
27.	Withdrawals of Resignation/ determination of seniority of officials who are allowed to withdraw their resignation/Preparation and issuance of seniority list.	141 - 143
28.	Re-employment of the Pensioners beyond the age of sixty years.	144 - 145
29.	Change of name policy/change in the recorded date of birth.	146 - 148
30.	Criteria/modalities for classifying death/incapacitation of civil servants in the line of duty for the purpose of compensation.	149 - 150

**ATTESTED**

However, in case he returns to parent department, he would be considered for promotion only after he earns PER for one calendar year.

- h) A civil servant who has resigned shall not be considered for promotion no matter the resignation has yet to be accepted.

V. Deferment of Promotion:

- (a) Promotion of a civil servant will be deferred, in addition to reasons given in para-IV, if
- (i) His inter-se-seniority is disputed/sub-judice.
  - (ii) Disciplinary or departmental proceedings are pending against him.
  - (iii) The PER dossier is incomplete or any other document/ information required by the PSB/DPC for determining his suitability for promotion is not available for reasons beyond his control.
- (b) The civil servant whose promotion has been deferred will be considered for promotion as soon as the reasons for deferment cease to exist. The cases falling under any of the above three categories do not warrant proforma promotion but the civil servant will be considered for promotion after determining his correct seniority over the erstwhile juniors.
- (c) If an officer is otherwise eligible for promotion but has been inadvertently omitted from consideration in the original reference due to clerical error or plain negligence and is superseded, he should be considered for promotion as soon as the mistake is noticed.
- (d) If and when an officer, after his seniority has been correctly determined or after he has been exonerated of the charges or his PER dossier is complete, or his inadvertent omission for promotion comes to notice, is considered by the Provincial Selection Board/ Departmental Promotion Committee and is declared fit for promotion to the next higher basic scale, he shall be deemed to have been cleared for promotion alongwith the officers junior to him who were considered in the earlier meeting of the Provincial Selection Board/Departmental Promotion Committee. Such an officer, on his promotion will be allowed seniority in accordance with the proviso of sub-section (4) of Section 8 of the North-West Frontier Province Civil Servants Act, 1973, whereby officers selected for promotion to a higher post in one batch on their promotion to the higher post are allowed to retain their inter-se-seniority in the lower post. In case, however, the date of continuous appointment of two or more officers in the lower post/grade is the same and there is no specific rule whereby their inter-se-seniority in the lower grade can be determined, the officer older in age shall be treated senior.
- (e) If a civil servant is superseded he shall not be considered for promotion until he earns one PER for the ensuing one full year.
- (f) If a civil servant is recommended for promotion to the higher basic scale/post by the PSB/DPC and the recommendations are not approved by the competent authority

*Attested*  
**ATTESTED**

Directorate of Elementary & Secondary Education

Khyber Pakhtunkhwa, Peshawar

No. 1096/F.No. Iftikhar Ahmad/SST(M)/Estt: Section.

Dated Peshawar the 13-9-2020

O.P.S.S.

52

DESPICACIA  
Director (E&SE)  
KPK Peshawar

To

Mr. Iftikhar Ahmad (CT),

Govt: Shaheed Adil Shehzad High School No.1 Thana,

Malakand.

Subject: -

**APPLICATION FOR PROMOTION TO SST POST ON THE BASIS OF SENIORITY UNDER THE PROVISION OF ESTABLISHMENT CODE 2011 DEFERMENT OF PROMOTION OAGE NO.57 V(A)(I) & (B)**

Memo:

I am directed to refer to your letter No. Nil dated 15-12-2019 on the subject cited above and to state that the Competent Authority has rejected your appeal on the subject matter in the light of the Judgement of August Supreme Court of Pakistan rendered under the Civil Appeal No. 171-P/2011 dated 20-01-2014.

Deputy Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

Endst: No. \_\_\_\_\_

Copy of the above is to:-

1. DEO(M) Malakand.
2. PA to Director (E&SE) Local Directorate.

Deputy Director (Estab)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

ATTESTED

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) MALAKAND AT BATKHELA.

OFFICE ORDER.

Consequent upon the services of Mr. Iftikhar Ahmad Ex- PST GPS, College colony Tiana Malakand Agency placed at the disposal of D.E.O.(M) Malakand for further adjustment against the post of PST in Malakand Agency vide Director Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar office order endst: No. 1381-83/F.No. 40/Iftikhar Ahmad EX-PST/Litigation/Vol:IV/ dated 10-03-2014 is hereby further adjusted against the vacant PST post at G.M.P.S. Charkotlai (Batkhela) on his own pay and scale in the interest of public service with immediate effect.

Note:- No TA/DA is allowed.  
Charge report should be submitted to all concerned in duplicate.

( FAZAL AHAD KHAN )  
DISTRICT EDUCATION OFFICER (MALE)  
MALAKAND AT BATKHELA.

Endst: No. 1722-27 /F.No. Adjustment/PSTs

Dated 30-4- /2014.

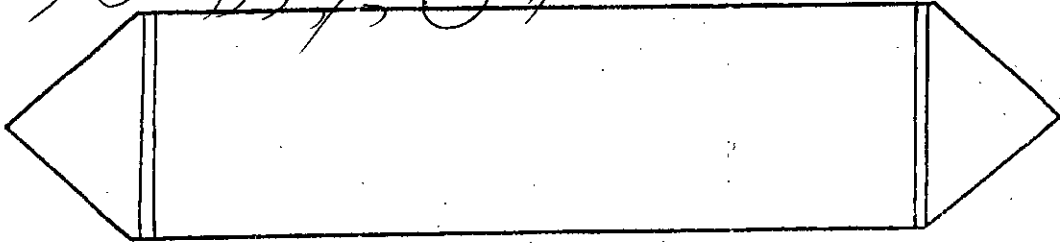
Copy forwarded for information and necessary action to:-

1. The Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar w/r to his office order endst: No.1381-83/F.No.40/Iftikhar Ahmad Ex-PST/Litigation/Vol:IV dated 10-03-2014.
2. The Principal Govt.High school Jalala, District Malakand with the remarks to work out the amount of salaries which you paid to Mr. Iftikhar Ahmad (SST) on SST post from the date of his appointment till his adjustment against PST post and deposit the same into Govt treasury under intimation to the this office.
3. The Sub Divisional Education officer, (Male) Swat Ranizai at Batkhela.
4. The Agency Accounts officer, Malakand.
5. P.A. to Director, Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
6. Mr. Iftikhar Ahmad PST.G.M.P.S. Banjo Degai (Malakand).

DISTRICT EDUCATION OFFICER (MALE)  
MALAKAND AT BATKHELA.

**ATTESTED**

# بعدالت سرویس ٹریبونل فیصلہ خود سام



مختار احمد بنام حکومت

سے پنجاب

موزخہ  
مقدمہ  
دعویٰ  
جرم

## باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی اکل کاروائی متعلقہ

آن مقام کے لئے مصر عدل الحق

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک دروپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو کسی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھدیا کہ سندر ہے۔

المرقوم \_\_\_\_\_ ماہ \_\_\_\_\_ 20

\_\_\_\_\_ واہ العبد

بمقام \_\_\_\_\_ کے لئے منظور ہے۔

Accepted  
\_\_\_\_\_

"A"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

13

No.

8816

20

APPEAL No..... of 20

*H. Khan Ahmad*

Appellant/Petitioner

Versus

*Through Secy. Edu. Dept. Pesh.*

RESPONDENT(S)

Counsel

*Syed Abdul Haq*

Notice to Appellant/Petitioner

*Advocate High Court  
at Swat*

*0333-9546154*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 5-4-21 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*at Camp Court Swat*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.



"A"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

TB

APPEAL No.....88/6..... of 2020

Fikhar Ahmad

Appellant/Petitioner

Versus

Through Secy. Edn: 14 Pk Pesh:

RESPONDENT(S)

Rahma

Notice to Appellant/Petitioner

Fikhar Ahmad S/o Aziz-ur

Presently serving as CT, in  
Govt. Shahzeel Adil Shahzad High Scho  
No. 1, Thana Distt: Malakand

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 5-6-2021 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Camp Court Swat

[Signature]  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

"A"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

APPEAL No.....8816..... of 20

Iftikhar Ahmad

Appellant/Petitioner

Versus

Through Secy. Edu. K.P.K. Pesh.

RESPONDENT(S)

✓  
Notice to Appellant/Petitioner

Iftikhar Ahmad S/o Aziz Rahman  
Presently Serving as CT. in  
Govt. Shaheed Adil Shanzad  
High School No. I, Thana Distt. Malakand

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 25/8/2021 at 9:00 A.M.

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Camp Court Swat

[Signature]  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"A"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR. T/B

No.

8816

20

APPEAL No..... of 20

*Iftikhar Ahmad*

Appellant/Petitioner

Versus

*Through Secy: Edu: KPK Pesh*

RESPONDENT(S)

*Counsel*

*Syed Abdul Haq*

Notice to Appellant/Petitioner.....

*Advocate High Court*

*Bar Room Mingora Swat*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 25/8/20 at 9:30 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*at Camp Court Swat*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
**JUDICIAL COMPLEX (OLD), KHYBER ROAD,**  
**PESHAWAR.**

No.

7B

Appeal No. 8816 of 20 20

William Ahmad Appellant/Petitioner

Versus

through Secy. Edu: Peshawar Respondent

Respondent No. 3

Notice to:

Distt. Education Officer Malakand  
at Battakhera

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 3/11/2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 13th Day of Sep: 2021

at Camp Court Buzat

Registrar,  
 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
 2. Always quote Case No. While making any correspondence.

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

713

Appeal No. 8816 of 20 20

H. Khan Ahmad Appellant/Petitioner  
Versus

Inaugh Secy. Edu. Dept. Respondent  
Respondent No. 2

Notice to: -

Director, Fed. Soc. Education Grant, of  
KPK Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....3/11/2021.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this.....13/11.....  
Day of.....Sep.....20 21

at Camp Court Smart

[Signature]  
22/11

[Signature]  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

**“B”**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
**JUDICIAL COMPLEX (OLD), KHYBER ROAD,**  
**PESHAWAR.**

No.

*TB*

Appeal No. 8816 of 20 20

B. Iqbal Ahmad Appellant/Petitioner

Versus

Through Secy: Edn: KPI Pesh: Respondent

Respondent No. 3

Notice to: — Distt. Education Officer, Malakand at  
Bathkela.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 10-2-2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 14/12

Day of Jan: 20 22

*at Camp Court Swat*  
*By way of last chance notice*

*[Signature]*  
 Registrar,  
 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
 2. Always quote Case No. While making any correspondence.

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

TB

Appeal No. 8816 ..... of 20 ..

Fikhar Ahmad ..... Appellant/Petitioner

Versus

Through Secy. Edm: K Pk Pesh ..... Respondent

Respondent No. I .....  
17/1/22

Notice to: —

Gent: of K Pk Through Secy: Edm: Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 10-2-2022 ..... at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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~~Copy of appeal is attached.~~ Copy of appeal has already been sent to you vide this

office Notice No. .... dated .....

Given under my hand and the seal of this Court, at Peshawar this 14/1/22 .....

Day of Jan ..... 20 22

at Camp Court Swat

By time may last chance Notice

[Signature]  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD <sup>DB</sup>  
PESHAWAR.

No.

8816

20

*Wahid Ahmad* ..... of 20

Appellant/Petitioner  
Through Secy: *Edna: K.P.U. Pesh.*

Respondent

Director, <sup>Respondent No.</sup> *Ed: 2 Sec: Education Govt. of K.P.U.*  
*Peshawar.*

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on..... at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated..... 14/16

Given under my hand and the seal of this Court, at Peshawar this.....

Day of *Camp Court Swat* ..... 20

By way of last chance notice  
*21-1-22*

*[Signature]*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.



**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA**  
**PESHAWAR**

**Appeal No.8816/2020**

Mr. Iftikhar Ahmad son of Azizur Rahman, CT (B-15) in Goct: Shaheed Adil Shahzad High School No.1 Thana, District Malakand.

.....Appellant

**VERSUS**

- 1). The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2). The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3). The District Education Officer (M), District Malakand at Batkhela.

.....Respondents

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S.No#	Description of Documents	Annex:	Pages
1	Parawise Comments.	.....	1 to 3
2	Affidavit.	.....	4
3	Addresses of Parties.	.....	5
4	Authority.	.....	6
5	Copy of the seniority list to SCT.	A	7-Jan

**Deponent**

CNI # 15402-1447707-9

Farmanullah

Budget & Account Officer

Office of the DEO (M) Malakand.

Mobile No,03469450229

212/20

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA**  
**PESHAWAR**

**Appeal No.8816/2020**

Mr. Iftikhar Ahmad son of Azizur Rahman, CT (B-15) in Goct: Shaheed Adil Shahzad High School  
No.1 Thana, District Malakand.

.....Appellant

**VERSUS**

- 1). The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2). The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3). The District Education Officer (M), District Malakand at Batkhela.

.....Respondents

**PARA WISE COMMENTS ON BEHALF OF RESPONDENTS**

**PRELIMINARY OBJECTIONS:**

- 1 That the appellant has no locus standi.
- 2 As the issue in present was decided, hence it comes under Re-judicata.
- 3 That the appellant has no cause of action to file the instant appeal against the respondents.
- 4 That the appellant has concealed the material facts from this Honorable Service Tribunal, hence liable to be dismissed.
- 5 That the appellant has filed the instant appeal on malafide motives.
- 6 That the appellant has estopped by his own conduct.

**RESPECTFULLY SHEWETH**

**OBJECTIONS ON FACTS**

- 1). Relates to the appellant record, hence no comments.
- 2). Incorrect and misleading. The appellant was not eligible for promotion.
- 3). No comment.
- 4). Agree, hence no comments.
- 5). Disagree, as it has been crystal cleared in Para-4, in Service Appeal of the appellant that the August Supreme Court of Pakistan allowed CPLA. No.171-P of 2011 and set aside judgment of the Honorable Peshawar High Court dated 24-06-2010. That on the clear directives of honorable Supreme Court of Pakistan the respondent department issued the orders of recovery of salaries and other emoluments drawn by the appellant and also with draw the promotion order of the appellant as SET. (Copy of the Judgment dated 20-01-2014 is attached as annexure "A" in Service Appeal of the appellant).

Continued.....

- 6). As the case was set aside by apex Court once and for all that's why how it is possible to override the orders of the honorable Supreme Court of Pakistan. Although the same case is presenting by the appellant with his stubbornness, and is also challenging the writ/judgment of August Supreme Court of Pakistan.
- 7). Disagree, the respondent department from the inception of his promotion date back in 1996 hitherto is challenging his eligibility on the ground that the appellant got two degrees MSC and B.Ed in the same year which is contrary to the available rules. So, according to the rules and orders of August Supreme Court of Pakistan the appellant is not eligible to promote to SET post having two degrees in the same year. The Judgment of apex court has been pinpointed his failure on merit too in para-3, C.A.No.171-P/2011, Judgment dated, 20-01-2014, of the honorable Supreme Court is quoted herewith ;

" On merits too, we do not find that the respondent had a good case for the court to intervene. The respondent had not filed along with his testimonial the master degree for consideration of the Selection Committee. The High court could not have taken into consideration the degree which was not placed before the Selection Committee at the time of selection. The contention on behalf of the appellants that non disclosure of the said qualification because of simultaneous acquisition of two Masters Degrees by the respondent is not without substance."

- 8). Agree, that the respondent No.3/DEO (Male) Malakand sent the promotion case of the appellant to respondent No.2/Director E&SE, after receiving the appeal of the appellant for the redressal of his grievances under ESTA CODE. The same was rejected on the subject matter in the light of the Judgment of apex court of Pakistan rendered under the Civil Appeal No.171-P/2011 dated 20.01.2014.(Copy of the mentioned letter is attached in Service Appeal of the appellant at annexure.....(F)).
- 9). As explained in Para-8, hence no comments.
- 10). No comments.

### OBJECTIONS ON GROUNDS

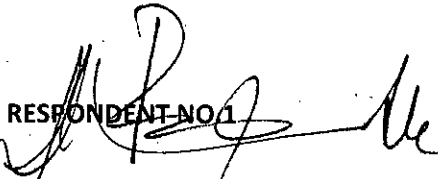
- A). That the respondent department did not stop the seniority/promotion of the appellant. The appellant has been promoted from PST (BPS-12) to CT (BPS-15) through proper channel and now he is on serial no.27 in SCT (BPS-16) promotion updated merit list, while SST is also (BPS-16) as desired by the appellant. Though the appellant beat the same drum, and it is not possible to promote him to SET having two degrees in the same year.
- B). That the appellant is connecting two irrelevant things with each other. While, the case of the appellant does not fall in clause (V) deferment of promotion in ESTA CODE.
- C). Disagree, the seniority of the appellant has been updated and was promoted to various position til up to date.
- D). That the reasons behind his promotion since 1996, and decision/judgment of August Supreme Court of Pakistan has been discussed in above, hence need no further explanation.
- E). That keeping in view the depthness of the August Supreme Court decision no special relief is to be granted before and after the announcement of order on the grounds, that the appellant got two degrees in the same year is the violation of rules and regulation. Though his seniority is still a live on the basis of qualification of B.A/B.Sc with B.Ed, and through which he has been reached to CT and now on serial no.27, in merit list promotion to SCT.

Continued.....

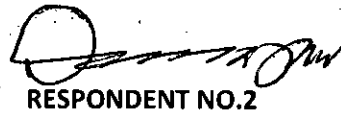
- F): That the respondent department also seeks permission of this honorable court for further evidence if required any during the course of hearing.

**Prayer**

It is humbly prayed that the instant Service Appeal is just for deceiving the honorable Tribunal and also the department by the appellant through his utopian imaginary ideas. Beside, it has been decided by honorable Supreme Court of Pakistan once and for all and not maintainable for further adjudication. The department whole heartedly compensate the appellant under the prevailing rules of services, hence this appeal is mere a waste of time may kindly be dismissed with cost.

  
RESPONDENT NO.1

SECRETARY (E&SE) DEPARTMENT  
KHYBER PAKHTUNKHWA PESHAWAR.

  
RESPONDENT NO.2

DIRECTOR (E&SE) DEPARTMENT  
KHYBER PAKHTUNKHWA PESHAWAR.

RESPONDENT NO.3



DISTRICT EDUCATION OFFICER  
Dist (M) MALAKAND (M)  
Malakand at Batkhela

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA PESHAWAR**

**Appeal No.8816/2020**

Mr. Iftikhar Ahmad son of Azizur Rahman, CT (B-15) in Goct: Shaheed Adil Shahzad High School No.1  
Thana, District Malakand.

.....(Appellant)

**VERSUS**

- 1 Secretary Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2 Director, Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
- 3 The District Education Officer (M), District Malakand at Batkhela.

.....(Respondents)

**AFFIDAVIT**

I Farmanullah Budget & Account Officer on the instructions of D.E.O. (Male) Malakand do hereby solemnly affirm and declare on oath that the contents of the accompanying para wise comments submitted by Respondent No.3 as true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Service Tribunal.

Deponent

CNI # 15402-1447707-9

Farmanullah

Budget & Account Officer  
Office of the DEO(M) Malakand.

Identified by

Assistant Advocate General  
Khyber Pakhtun Khwa,  
At Tribunal, Peshawar.

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA**  
**PESHAWAR**

**APPEAL NO.8816/2020**

**ADDRESSES OF PARTIES**

Mr. Iftikhar Ahmad son of Azizur Rahman, CT (B-15) in Govt: Shaheed Adil Shahzad High School No.1 Thana, District Malakand.

.....(Appellant)

**VERSUS**

- 1 Secretary Elementary and Secondary Education Khyber Pakhtunkhwa
- 2 Director, Elementary and Secondary Education Khyber Pakhtunkhwa
- 3 District Education Officer (Male) Malakand.

.....(Respondents)

Deponent



CNI# 15402-1447707-9

Farmanullah

B&AO

Office of the DEO (M) Malakand.

Mobile No,03469450229

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTOONKHWA**  
**PESHAWAR**

**Appeal No.8816/2020**

Mr. Iftikhar Ahmad son of Azizur Rahman, CT (B-15) in Goct: Shaheed Adil Shahzad High School  
No.1 Thana, District Malakand.

.....(Appellant)

**VERSUS**

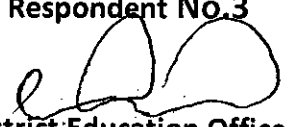
- 1 Secretary Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
- 2 Director, Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar.
- 3 District Education Officer (Male) Malakand.

.....(Respondents)

**AUTHORITY**

Mr. Farmanullah B&AO office of the DEO (M) Malakand is hereby authorized to attend the Tribunal, submit reply and pursue the above titled Service Appeal on behalf of the undersigned till the decision of the case and progress made be intimated to this office as well as to all others concerned.

Respondent No.3

  
District Education Officer,  
Distt(M) Malakand (M)  
Malakand at Batkhela

Final Seniority List of CT District Malakand Male Upto 31-12-2021

S#	NAME	FATHER'S NAME	Present Post & Grade	Qualification				DIO BIRTH	DIO 1st Appnt:	DIO Taking O/Ch on 1st Appnt:	DIO Passing Prof: Qualif:	Merit Marks No.	DIO Promotion to the Present Post	DIO transfer from other Distt:	Senior ity	Mobile/ Contact No	School	Remarks
				Acad Qualif	BA/BSc: Divn:	BA/BSc: Subject	Professional Qualif											
1	Lai Nawaz Khar	Shamas Khan	CT-15	Ma(pa)	2nd	Eng: Pa, Ps, Isl	B.Ed	04/04/1973	29/05/1995	29/5/1995	11/05/1999	7	01/08/2016		55	0333-9492269	GHS Haryan Kot	
2	Muhammad Hasim	Ali Haider	CT-15	M/Sc	2nd	Stat /Maths	B.Ed	12/03/1970	21/08/1995	21/08/1995	05/11/1999	10	01/08/2016		58	3459270481	GHS CC thana	
3	Sani Muhammad	Ali Muhammad	CT-15	M/A	2nd	Pa, Is	M.Ed	10/03/1971	20/08/1995	20/08/1995	31/12/1996	11	01/08/2016		59	3459291605	GCMHS Bathela	
4	Muhammad Ikram	Gul Muhammad	CT-15	MA/Pashto	2nd	Pa/ Islamiat	M.Ed	04/02/1976	20/08/1995	21/08/1995	15/12/2007	12	01/08/2016		60	03459168594	GMS Karkana	
5	Muhammad Tahir	Abdur Rahman	CT-15	MA(His) (Pa)	2nd		M.Ed	04/01/1974	21/08/1995	21/08/1995	1996	13	01/08/2016		61	0310-1779899	GHSS Kot	
6	Bahadar Sher	Alim Said	CT-15	M/A	2nd	Art	B.Ed	02/03/1973	29/10/1995	29/10/1995	2004	14	01/08/2016		62	0316-9779788	GHS Mekhband	
7	JAN MUHAMMAD	SHAH DAD	CT-15	MA POSH	2nd	ARTS	B.Ed	02/02/1970	01/04/1996	01/09/1996	25/01/2007	15	01/08/2016		63	0346-8395001	GHS Totai	
8	Khair Ur Rahman	Zarin Dad	CT-15	M/A Pashto	2nd	B/A Economics	B.Ed	05/06/1972	09/01/1996	09/01/1996	2005	16	01/08/2016		64	0932-353158	GMS Setai Patay	
9	Karim Shah	Sadiq Shah	CT-15	MA Islamiat	2nd	Civics/PA	B.Ed	10/08/1974	29/05/1996	29/5/1996	16/01/2015	17	01/08/2016		65	3421591816	GMS Jabban	
10	Muslim Khan	Hamid Khan	CT-15	M/A Pashto	2nd	Pashto Islamiat	B.Ed	10/01/1968	30/05/1996	30/05/1996	31/01/2002	18	01/08/2016		66	0345 9346245	GHS No/2 Sakhakot	
11	Muhammad Mushtaq	Muhammad Islam	CT-15	BA	1st	Eng, Pa, Isl E, P/S	BEd	23/3/1975	02/10/1996	03/10/1996	16/1/2015	20	01/08/2016		67	0344-9020517	GSASHS No.1 Thana	
12	Muhammad Gul	Stana Gul	CT-15	MA			M.Ed	01/04/1976	02/03/1996	02/03/1996	14/03/2012	21	01/08/2016		68	3100097597	GSASHS Maina	
13	Faqir Muhammad	Muhammad Zarin	CT-15	BA	2nd	IS, PA	B.Ed:	01/02/1971	13/01/1997	14/01/1997	10/10/2013	22	01/08/2016		69	3344168166	GHS Malakand	
14	Mukaram Khan	Muqadam Khan	CT-15	MA (ISL)	2nd	Humanities	CT & B.Ed	01/03/1972	13/01/1997	15/01/1997	2002	23	01/08/2016		70	0313-9695098	GMS Chapal	
15	Amir Zeb	Abdullah Khan	CT-15	M/A	2nd	Eng, Isl, Pashto	M.Ed	15/03/1971	27/08/1997	28/08/1997	2000	24	01/08/2016		71	0345-935715	GHS Kharki Dheri	
16	Muhammad Naeem	Gul Zarin	CT-15	BA	2nd	Arts	B.Ed	14/05/1972	14/05/1972	14/05/1972	2004	25	01/08/2016		72	0334-9309240	GMS Heroshah Kalan	
17	Nisar Ahmad	Muhammad Saeed	CT-15	M/A	2nd	Pashto / Islamiyat	M.Ed	01/12/1973	27/08/1997	28/08/1997	2007	27	01/08/2016		73	0345-2639912	GHS Koper	
18	AMIR HATAM	AKHTAR BILAND	CT-15	MA	2nd	BA/ARB	B.Ed	20/02/1972	09/01/1997	09/01/1997	25/04/2000	28	01/08/2016		74	0342 9735122	GHSS Khar	
19	Mahmood- ur- Rahman	Aziz ur Rahman	CT-15	B/A	2nd	Pa, Is	B.Ed	20/03/1973	01/09/1997	01/09/1997	2000	29	01/08/2016		75	3469389199	GCMHS Bathela	
20	Karim Ullah	Habib Ullah	CT-15	MA	2nd	Eng, Islamiyat	M.Ed	15/04/1973	27/08/1997	27/08/1997	01/08/2016	30	01/08/2016		76	0347-1096360	GHS Gul Muqam	
21	Muhib Ullah	Bakht Rawan	CT-15	M/A	2nd	Isl	M.Ed	05/01/1974	27/08/1997	27/08/1997		31	01/08/2016		77		GZSHS Dargai	
22	Zamarood Shah	Muhammad Zahir Shah	CT-15	M/A pol:sc, History	2nd	Hist, Is	M.Ed	08/04/1973	27/08/1997	17/09/1997	2001	32	01/08/2016		78	3469402561	GCMHS Bathela	
23	MUHAMMAD ISMAIL	MUHAMMAD ABDULLAH	CT-15	MA Islamiyat	2nd	Arts	CT	02/04/1963	22/09/1986	23/09/1986	22/11/1992	1	10/08/2017		79	341-7704070	GMS Pinda Kandaro	
24	Muhammad Javaid	Khalid Dad	CT-15	BA	BA 2nd Div	Eng P/S Isl	CT	04/01/1970	12/05/1990	12/05/1990		2	10/08/2017		80	0313-9326979	GHS No/1 Thana	
25	shahiristan	zoormast khan	CT-15	MA	2nd	arts	B.Ed	07/04/1967	26/12/1987	26/12/1987	22.10.1991	3	10/08/2017		81	3111636357	GHSS Totai	
26	Humayun badshah	Rahmani Gul	CT-15	MA ISLAMIYAT	1st	Eng /IS	B.Ed	15/01/1971	24/10/1989	24/10/1989		4	10/08/2017		82	346-9477470	GHS Pirkhel	
27	Iftikhar Ahmad	Aziz ur Rahman	CT-15	MSc Stat:	BSc 1st Div:		MEd	10/03/1964	04/11/1988	04/11/1988		5	10/08/2017		83	0345-9371546	GHS No/1 Thana	
28	Fazli Aleem	Fazli Karim	CT-15	M.A Pashto	B.SC	State, Maths	C.T	21/02/1964	25/10/1989	25/10/1989	1997-98	7	10/08/2017		84	0346-9041312	GHS No.2 thana	
29	Shafi Ur Rahman	Ghulam Sarwar	CT-15	MA Isl	3rd	IS, Pa	b.Ed.CT	10/02/1968	12/12/1988	12/12/1988	13/05/1997	8	10/08/2017		85	0344-9600955	GHS No.1 Dheri Alladand	
30	Muhammad Asghar Khan	Hazrat Muhammad	CT-15	MSc Pak Study	2 <sup>nd</sup>	Pak Study Islamiat	BEd	01/10/1971	17/05/1994	17/05/1994	1996	9	10/08/2017		86	0346-9440054	GMS Kalito	
31	Ibraheem Shah	Alif Noor	CT-15	M/A	2nd	Eng, Pak: Study	C.T	20/03/1974	31/01/1995	01/02/1995	1993	10	10/08/2017		87	0347-9369883	GMS Ghund Agra	
32	Hanif shah	Ahmad shah	CT-15	M.A Isl	2nd	Arts	M.Ed	25/01/1971	31/01/1995	01/02/1995	28/02/2014	11	10/08/2017		88	0344-8062030	GHS Totakan	
33	Ameer alam	Sultan	CT-15	M/A ISLAM	2nd	Is pash	B.ED	01/09/1973	25/04/1995	26/04/1995	2013	12	10/08/2017		89	3339497643	GHS G U Khel	
34	Ali Rahman	Noor Akbar	CT-15	BA	2nd	Eng ( E )	B.Ed	04/08/1972	06/06/1995	13/06/1995	2017	13	10/08/2017		90	0310-9696766	GHSS Kot	
35	Bashir Ahmad	Naseem Dad	CT-15	MA (Islamiat)	1st	Eng: Pa, Ps, Is	CT	04/12/1973	15/08/1995	15/8/1995	2017	14	10/08/2017		91	0334-9074730	GHS Haryan Kot	

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